

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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**UNUM LIFE INSURANCE COMPANY OF
AMERICA,**

Plaintiff,

VS.
LINDA ROBLES, *et al.*,

Defendants.

2:16-cv-00053-GMN-VCF
REPORT AND RECOMMENDATION TO
DISBURSE FUNDS

The Court having reviewed Linda Robles' and Annie Carbajal's Motion to Disburse Interplead Funds (ECF No. 33), there being no opposition and good cause appearing,

IT IS HEREBY RECOMMENDED:

1. One third of the funds, or \$128,115.83, be disbursed to Linda Robles;
 2. One third of the funds, or \$128,115.83, be disbursed to Annie Carbajal;
 3. The remaining deposited funds, or \$128,115.84, be retained by the Clerk of Court to allow Johnny Dominguez to apply for disbursement of his share;
 4. Counsel for Robles and Carbajal is directed to undertake reasonable efforts to inform Johnny Dominguez and any person or entity empowered to act on his behalf, that his share of the decedent's life insurance proceeds are being held by the court and provide him with a copy of the court's order;
 5. Counsel for Robles and Carbajal must also inform Mr. Dominguez or his representative that application for disbursement of the remaining insurance proceeds must be filed with this court, in this action, on or before July 17, 2017;

6. After July 17, 2017, if the remaining insurance proceeds have not been disbursed, counsel for Robles and Carbajal may file a motion to amend the pleadings to join Mr. Dominguez as a party;

7. Once Mr. Dominguez becomes a party in this case and is properly served with process, counsel for Robles and Carbajal may file a motion for disbursement of the remaining insurance proceeds.

IT IS FURTHER RECOMMENDED that the current disbursement be payable by two checks: one in the amount of \$128,115.83 payable to Annie Carbajal and a second check in the amount of \$128,115.83 payable to Linda Robles. These two checks may be released to a representative of Laxalt and Nomura, Ltd. No portion of any of the funds is to be used as attorney's fees, as Laxalt and Nomura, Ltd. have taken this case on a *pro bono* basis.

IT IS FURTHER RECOMMENDED that Linda Robles' and Annie Carbajal's Motion to Disburse Interplead Funds (ECF No. 33) be granted.

DATED this 21st day of November, 2016.

Cam Ferenbach